

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

United States of America,

Case No.: 17-cr-497 (ENV)

v.

Joe Doe,

**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL**

Arun G. Rao, Esq., the undersigned counsel for the Defendant, hereby respectfully moves this Court for leave to withdraw as counsel pursuant to Local Criminal Rule 1.4 of the United States District Court for the Eastern District of New York.

In support thereof, the undersigned states as follows:

1. On September 22, 2017, the Defendant pled guilty to a one count Information. A sentencing hearing in this matter has not yet been scheduled. Consequently, withdrawal of the undersigned counsel at this time will avoid any prejudice to Defendant's interests.
2. Pursuant to Local Criminal Rule 1.4, the undersigned counsel has given the Defendant due written notice of this intention to withdraw prior to submitting this request to the Court. The Defendant has no objection.
3. This request is made because Defendant has failed to provide payment for the undersigned counsel's legal services, contrary to the terms of Defendant and undersigned counsel's agreement relating to representation. Defendant last paid counsel on November 20, 2017, and has not made any payments since then, despite the undersigned counsel's continued representation of Defendant and despite the undersigned counsel's informing Defendant repeatedly that he is delinquent in his payments. The amount that Defendant owes the undersigned counsel is significant and not *de minimis*. Defendant has represented that, due

to a change in financial circumstances following his guilty plea, he now lacks the resources necessary to pay for representation.

WHEREFORE, the undersigned counsel respectfully requests this Court enter an order granting the Motion to Withdraw of the undersigned counsel, and that a proceeding be scheduled so that a CJA Panel Attorney or the Office of the Federal Public Defender can be appointed to represent the Defendant, going forward.

Dated: February 6, 2019

Respectfully submitted,

By:   
Arun G. Rao

ARUN G. RAO (#4039095)  
THE LENZNER FIRM, P.C.  
815 Connecticut Avenue, N.W.  
Suite 730  
Washington, D.C. 20006  
Telephone: (202) 789-7700  
[arao@lenznerfirm.com](mailto:arao@lenznerfirm.com)